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Counsel for Banca Carige, S.p.A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

x		
SECURITIES INVESTOR PROTECTION	:	
CORPORATION,	:	
	:	Adv. Pro. No. 08-01789 (CGM)
Plaintiff-	:	
Applicant,	:	SIPA LIQUIDATION
	:	
v.	:	(Substantively Consolidated)
	:	
BERNARD L. MADOFF INVESTMENT	:	
SECURITIES, LLC,	:	
	:	
Defendant.	:	

x	
In re:	:
	:
BERNARD L. MADOFF,	:
	:
Debtor.	:

x		
IRVING H. PICARD, Trustee for the	:	Adv. Pro. No. 11-02570 (CGM)
Liquidation of Bernard L. Madoff Investment	:	
Securities LLC, and Bernard L. Madoff,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
BANCA CARIGE S.P.A.,	:	
	:	
Defendant.	:	

DEFENDANT’S NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in support of Defendant’s motion to dismiss the complaint for lack of personal jurisdiction and for failure to state a claim (the “Motion”) and the declarations of Francesco Guido and David J. Mark in support of the Motion with all exhibits annexed thereto, Banca Carige S.p.A. (the “Defendant”), by and through its undersigned counsel, moves this Court, before the Honorable Cecelia G. Morris, United States Bankruptcy Chief Judge for the Southern District of New York, for an order granting the Motion to dismiss the complaint filed by Irving H. Picard as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff (the “Plaintiff”) pursuant to Rules 12(b)(2) and (6) of the Federal Rules of Civil Procedure along with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the stipulation by and among the Plaintiff and Defendant [ECF 106], the Plaintiff shall respond to the Motion on or before **March 28, 2022**, and the Defendant shall file its reply to any response on or before **April 28, 2022**. The hearing on the Motion shall held on a date to be determined by the Court.

[Remainder of page intentionally left blank]

Dated: January 28, 2022
New York, New York

Respectfully Submitted,

KASOWITZ BENSON TORRES LLP

/s/ Andrew S. Golden

David J. Mark

Andrew S. Golden

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